

Agenda Item No. 3.1
For Agenda of Apr. 10, 2007



Tigard City Council Meeting Minutes

Date: February 27, 2007
Time: 7:30 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard, Tigard, Oregon

Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Tom Woodruff
Councilor Gretchen Buehner

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session	<p>Mayor Dirksen called the Study Session to order at 6:35 p.m.</p> <p>• City Center Advisory Commission 2006 Annual Report – Senior Planner Nachbar said Alice Ellis Gaut and Carolyn Barkley were in attendance representing the CCAC. Ms. Ellis Gaut gave CCAC highlights of 2006 which included:</p> <ul style="list-style-type: none">› Intense involvement in the urban renewal ballot measure effort, with bi-weekly meetings held through the end of the summer.› Participating with the City in the Downtown Plan open houses as well as individually making presentations to various businesses and organizations, which helped the CCAC understand their specific interests.› Preparing, reviewing and revising the Downtown implementation strategy document.› Working on Commuter Rail issues and shelter upgrade design› Attending Streetscape meetings› Educating themselves about design guidelines and providing direction for their development in the Downtown area› Developing the CCAC By-laws› Working on MTIP projects with Metro. She noted that the Greenstreets Program was on Metro's short	

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	<p>list and they were hoping for full funding</p> <p>She said the CCAC had three recommendations for Council:</p> <ul style="list-style-type: none"> ➤ Encourage architecture in the downtown design guidelines that provides harmony and diversity. ➤ Apply "Form-Based Code" - a new regulatory means of defining architecture criteria in graphic format. ➤ Include height restrictions in the design guidelines that maintain a view corridor into the downtown area from Highway 99W <p>Mayor Dirksen said he had heard of Form Based Code working successfully elsewhere but had not heard of it being used locally. Ms. Ellis-Gaut agreed that if Tigard chose to use this type of code, they would be Oregon's first.</p> <p>Ms. Ellis Gaut said the CCAC is drafting a resolution asking Council to consider removing the requirement to have a sitting Planning Commission member on the Commission. She said they don't have one presently and the position may be difficult to fill.</p> <p>Mayor Dirksen said they are looking at ways to make this work.</p> <p>Ms. Ellis Gaut said there will be two CCAC members on the Fanno Creek Park Master Plan Committee and they are excited to start on this project.</p> <p>Mayor Dirksen complimented the CCAC on the volume of work they took on and their innovative ideas. Councilor Harding said she appreciated their perseverance.</p> <p>Councilor Buehner said she hopes that Council will hold regular joint meetings with CCAC and the Planning Commission during Council workshop sessions to discuss the various issues coming within the next six months.</p>	

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	<p>• Jaywalking Ordinance - Police Chief Dickinson said that as part of the Police Department's mission statement and their goal to preserve and protect life, they propose a jaywalking ordinance. Chief Dickinson noted there have been at least three car/pedestrian accidents this year. He introduced Officer Erickson who has been working on preparing the ordinance.</p> <p>Officer Erickson said that based on input received in November when this issue was first raised with Council there were two changes made to the proposed ordinance:</p> <ul style="list-style-type: none"> ➤ The distance from a crosswalk that a pedestrian has to be within, in order for this ordinance to be in effect, was changed from 150 to 100 feet. ➤ At the suggestion of the City Attorney, the actual definition of a crosswalk is included, rather than just the ORS number. <p>Chief Dickinson said the essence of the ordinance is, "If you are in the middle of the block and just want to cross the street to get to your mailbox, you can. But if you are within 100 feet of a crosswalk we ask that you use it."</p> <p>In response to a question from Councilor Woodruff about the Hall Boulevard and O'Mara Street intersection, Chief Dickinson said the law says whether or not there is a marked crosswalk at an intersection, it is legal to cross there. City Manager Prosser said Hall Boulevard is a state highway and the City asked for a marked crosswalk to be placed at O'Mara but ODOT wouldn't allow it.</p> <p>Chief Dickinson said the focus of the proposed ordinance is mid-block crossings or someone wandering down the middle of a street.</p> <p>Councilor Harding expressed concerns about the Burnham Street Project which includes islands in the middle of the street. She said part of the reason for the islands is to help people safely cross. Chief Dickinson agreed that safety needs to be a consideration when planting the medians because a child or wheelchair user might not be seen by drivers</p>	

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	<p>if bushes and shrubs are too tall.</p> <p>City Manager Prosser said the Burnham Street design does include mid-block crossings that use the medians and these will be marked. He said the medians are there not to give people a refuge. He said there will be breaks in the medians to enable people to use the crosswalks.</p> <p>Mayor Dirksen expressed concern that he did not see a differentiation between arterial and regular neighborhood streets in the proposed ordinance. Chief Dickinson said they couldn't find a way to make that distinction. Officer Erickson said a definition of "arterial" exists but it is so overly broad that the ordinance would be unenforceable in court.</p> <p>Mayor Dirksen said that the ordinance defines crosswalks by Oregon State Statutes which state any place there is an intersection, there is a crosswalk. He said in most neighborhoods you would be within 100' of an intersection in the middle of the block. He asked if the ordinance could be changed to define this as "within 100 feet of a marked crosswalk."</p> <p>In response to a question from Councilor Sherwood, Police Chief Dickinson said the biggest jaywalking problem area is Highway 99W. Other areas of concern are the roads in front of schools.</p> <p>Councilor Buehner asked if it couldn't be addressed as an internal policy whereby we say the neighborhood streets are not the focus; the focus is the arterial and collector streets.</p> <p>Councilor Sherwood said if there was an ordinance and an officer saw a child running across the street they could at least stop them and advise them they could be hurt running into the street and it is against the law. She said she would like this used as more of an educational tool to give the police the ability to stop people.</p> <p>Police Chief Dickinson asked if Council would consider putting in a sunset clause and revisiting the ordinance after a few years.</p>	

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	<p>Mayor Dirksen said he could support this ordinance as is, so long as there is a discussion with police that we don't want a policy where this is used punitively on neighborhood streets.</p> <p>City Manager Prosser suggested that rather than including a sunset clause, there could be an administrative direction to report back to Council in one year. He said it could be included as part of the annual police report.</p> <p>Councilor Harding mentioned that she was also had concerns about bicycle laws and how they differ from city to city. She asked if the Student Resource Officers are educating young cyclists. Police Chief Dickinson said they do an annual bicycle fair and safety town program to target children, but that this doesn't do much for adults.</p> <p>Police Chief Dickinson asked if Council's direction is to put it on the agenda. Council agreed that it should be considered at the next Council business meeting.</p> <p>● Graffiti in the City of Tigard - Police Chief Dickinson said that graffiti and gang activity are on the increase in Tigard. He said there are two issues:</p> <ul style="list-style-type: none"> ➤ the actual act of vandalism ➤ the graffiti that can be seen in the community <p>Police Chief Dickinson introduced Community Service Officer McMahan who tracks all graffiti and looks for commonalities and gang related tagging. She presented a PowerPoint on Gangs and Graffiti. A copy of this presentation is in the City Recorder's Office.</p> <p>Officer McMahan said that so far in 2007, Tigard police had taken 94 reports of graffiti which is one third of the entire total for 2006. Of the 94 cases, 26% are gang related. She said graffiti is one way gangs communicate with each other and typically the graffiti in Tigard has been from Hispanic or Latino/Latina gang members.</p>	

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	<p>Police Chief Dickinson said the people who have had graffiti sprayed on their property have already been victimized and he would like to work cooperatively with them. Council agreed a heavy-handed approach would make property owners feel further victimized.</p> <p>Councilor Buehner asked what reasons people give for not wanting to clean it up. Officer McMahan said some people feel their property will just get hit with graffiti again and some businesses say it would cost too much.</p> <p>City Attorney Ramis mentioned that in another jurisdiction there was resistance to graffiti removal because it was felt removal would put them into a confrontation with the gangs.</p> <p>Councilor Harding says that criminal justice statistics show that removing graffiti stops or reduces it.</p> <p>Officer McMahan said gangs are not targeting the property owner but are using their fence or building for a billboard. Councilor Buehner said the public needs to be educated on this. Officer McMahan said the Washington County Graffiti Task Force is coming up with a website to tell citizens why it is important to remove graffiti.</p> <p>Officer McMahan said there is a clause in the citation process that will give them more time if they contact the City and explain why they cannot remove it. Officer McMahan said one quarter to one third of property owners do not clean it right away.</p> <p>Council agreed that police should bring this back for their consideration at a future business meeting.</p> <p>● Status Update - Highway 99W Corridor - Discussion was postponed until after the Business meeting due to time constraints.</p> <p>● Use of Cook Park during the Balloon Festival - Due to time constraints, the discussion on the use of Cook Park during the Balloon Festival will be tabled until the next Council meeting.</p>	

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	The Study Session concluded at 7:30 p.m.	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council and Local Contract Review Committee meeting to order at 7:35 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Buehner, Harding, Woodruff and Sherwood.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports</p> <p>Mayor Dirksen, Councilor Buehner and Councilor Sherwood indicated they had liaison reports. Mayor Dirksen recommended that due to time constraints these items be discussed at the end of the meeting.</p> <p>City Manager Prosser noted that there is also an Executive Session scheduled at the end of the Business Meeting.</p>	
2. Citizen Communication	<p>► Sharon Maroney, 14070 SW Hall Boulevard, Tigard, spoke on behalf of the Broadway Rose Theater Company. She said in working with the Tigard/Tualatin School District to make the old C. F. Tigard building their permanent home, they discovered a zoning issue. She requested that the City Council direct staff to make a text amendment to the Code allowing Broadway Rose as a conditional use on the C.F. Tigard site.</p> <p>Mayor Dirksen said he would recommend this to staff and supported this use of the old C.F. Tigard school property. Councilor Sherwood also expressed her support.</p> <p>► Tigard Chamber of Commerce President Ralph Hughes said he fielded a phone call from a national hotel chain interested in this area. Mayor Dirksen said he visited with the contact.</p> <p>Mr. Hughes asked if Tigard was interested in pursuing</p>	

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	<p>Schumacher Furs, noting that Washington Square did not have space available for this Portland business wanting to relocate.</p> <p>He said there will be a meeting at 9:30 a.m. on March 15 regarding using the additional 2% tax being collected for Washington County tourism. Anyone interested in the encouraging tourism and longer stays in the Tigard area should contact Jeremy Monlux at the Chamber of Commerce. Mayor Dirksen said this is a unique opportunity for a partnership with the Chamber.</p> <p>Upcoming Chamber of Commerce events:</p> <ul style="list-style-type: none"> ● Shining Stars Event in April ● Leadership Group raffle in May ● Membership Event was rescheduled to August <p>Mayor Dirksen asked if there was anyone wanting to speak who had not yet signed up to do so. There was none.</p>	
3. Consent Agenda	<p>Mayor Dirksen read through the Consent Agenda items and asked if there were requests to remove any items for separate discussion.</p> <p>3.1 Approve Council Meeting Minutes for January 23, 2007</p> <p>3.2 Establish Fanno Creek Park/Plaza Master Plan Steering Committee</p> <p>Resolution No. 07-09 - A RESOLUTION ESTABLISHING A CITIZEN ADVISORY COMMITTEE TO GUIDE THE PREPARATION OF A MASTER PLAN FOR FANNO CREEK PARK AND A DOWNTOWN PUBLIC PLAZA</p> <p>3.3 Re-assign City Center Advisory Commission (CCAC) Membership Terms</p>	<p>Motion by Councilor Harding, seconded by Councilor Sherwood to approve the Consent Agenda with Item No. 3.5 removed for separate discussion.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Councilor Woodruff Yes Mayor Dirksen Yes Councilor Buehner Yes Councilor Harding Yes Councilor Sherwood Yes</p>

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	<p>Resolution No. 07-10 – A RESOLUTION RE-ASSIGNING CITY CENTER ADVISORY COMMISSION MEMBERSHIP TERMS</p> <p>3.4. Local Contract Review Board</p> <ul style="list-style-type: none"> a. Award of Contract for Fuel Delivery and Card-lock Services at Both Captive and Foreign Sites b. Award of Contract for the Construction of 87th Court & Hall Blvd. Sanitary Sewer Extension (Sewer Reimbursement District No. 37) c. Award of Contract for the Construction of Hill View Street and 102nd Avenue Sanitary Sewer Extension (Sewer Reimbursement District No. 39) <p>3.5 Approve Intergovernmental Agreement with Oregon Department of Transportation for Local Fuel Tax Collection</p> <p>Councilor Woodruff thanked the volunteers who will be serving on the Fanno Creek Park and Downtown Public Plaza Master Plan Steering Committee: Carl Switzer, Alice Ellis Gaut, Mike Freudenthal, Tricia Swanson, Dan Dolan, Chuck O’Leary, Eugene Butera, Lisa Olson, Brian Wegener, Mike Swanda and Meg Schultz.</p> <p>Mayor Dirksen noted that Councilor Buehner requested that Item 3.5 be removed from the consent agenda for separate discussion. City Manager Prosser asked if discussion on this matter could be postponed until later in the meeting, in deference to guest speakers. Councilor Buehner said that would be acceptable.</p>	
4. Legislative Briefing by Senator Burdick and Representative Galizio	Senator Burdick gave an overview of current legislative activity. She said she is on the Senate Revenue Committee and is Chair of the Senate Judiciary Committee and expects some controversial bills before them. She said there is a clear agenda this year, with Measure 37 being a big focus. She noted the City of Tigard is supporting a Measure 37 “time out” and was	

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	<p>pleased they were taking this position. She said that from her land use perspective, annexation is good for land use policy. She said she did not believe that the State should be pre-empting cities and counties from doing their job and that Tigard could count on her support.</p> <p>Representative Galizio mentioned he is on the Ways and Means Committee as well as Consumer Protection Agency. He said they passed some bills closing pay day loan loopholes. He said another main issue is Education. He predicted investment in Education support not just in K-12 but in pre-K and Head Start, Community Colleges and Universities, both in operations and capital construction.</p> <p>Councilor Woodruff thanked them for coming and asked for their comments on a letter the City sent them stating positions on current legislation. He asked if they were in sync with Tigard.</p> <p><u>Collective Bargaining Legislation:</u> Senator Burdick said the Labor bills are difficult with good people on both sides. She said she thought the impact will not be as severe as people predict. Representative Galizio said he was leaning in the directions the City does not favor. Mayor Dirksen noted that the labor legislation bill language is extremely broad. He asked Representative Galizio and Senator Burdick, that if they choose not to oppose the bill altogether, to suggest changes in the language.</p> <p><u>Measure 37:</u> Senator Burdick said that she and Representative Galizio will be hosting a Town Hall meeting on Measure 37 in March 14th, to be held at the PCC Sylvania campus.</p> <p>Councilor Buehner said she receives many e-mails regarding property owners wishing to build one house on their property, largely a rural issue. She said Tigard's Measure 37 claims did not include one that was not commercial, including claims for billboards. She said she didn't think that large commercial claims and more billboards were what Measure 37 proponents had in mind. She asked that this point be brought to the committees so rural residents realize what is happening</p>	

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	<p>in the urban areas.</p> <p>Senator Burdick said she agreed this is not what people who voted for Measure 37 intended but that she needs to hear from them.</p> <p><u>Annexation:</u> Councilor Buehner said the fallout from last session's bills effectively denies cities the right to annex, which is in direct contravention of Metro's policies. She said she wanted to draw their attention to an issue with land located east of Highway 217 that runs up to the Portland city limits. It is surrounded by Tigard, Beaverton and Portland. She said County service providers have to drive four or five miles through another city to get to that island area. She said this does not make sense and hopes this would be brought back to the legislature for discussion.</p> <p>Mayor Dirksen asked that they take to the legislators a request as they consider this issue to ask themselves what they want these areas to look like in ten or fifteen years.</p> <p>Councilor Buehner said that there are now more people living in urbanized unincorporated Washington County than living in the Washington County cities and rural areas combined and this must be addressed. Representative Galizio said that conceptually, urban areas are the best and most efficient service providers. He said however, that he also represents people in unincorporated Washington County, Metzger and Bull Mountain. He said there are quite a few annexation-related measures this session and he would be glad to listen if Tigard wanted to make a case. Representative Galizio said he agreed with the Mayor Dirksen about the amount of overhang last session when some anti-annexation bills were successful. He said he was not on a land use committee and urged Councilor Buehner to contact those legislators and work through the democratic process at Salem.</p> <p><u>Gas Tax:</u> Councilor Buehner referenced a recent study which shows that because of the relatively flat revenues due to more fuel-efficient cars etc., the value of the gas tax has been going down about one cent a year. She said</p>	

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	<p>one of the concerns raised by the Petroleum Association when Tigard City Council passed a gas tax in December was that they felt this should be a state-wide issue. Tigard's gas tax ordinance says that if the state increases their tax, the City will reduce or eliminate theirs. She stressed that this issue must be addressed as it doesn't affect just Tigard; every city and county is struggling to maintain transportation infrastructure.</p> <p>Senator Burdick discussed the difficulties politicians can experience if they vote in favor of taxes. She said it was hard to get a 3/5 vote to pass a tax.</p> <p>Representative Galizio said he appreciated the open communication from the Council and the visits from City Manager Prosser and Assistant City Manager Newton.</p>	
<p>5. Metro Briefing by Metro Councilor Carl Hosticka</p>	<p>Long Range Planning Director Ron Bunch introduced Metro Councilor Hosticka. He said Councilor Hosticka would be discussing three areas Tigard and Metro have in common: Greenspaces, land use, and transportation planning.</p> <p>Councilor Hosticka discussed Metro's New Look program. He said about one million new people are expected to come into the region by 2030 and we need to plan where they will live, work and play. He said this has traditionally taken the form of an Urban Growth Boundary (UGB) expansion discussion but Metro's current thinking is to place more emphasis on reinvesting <u>within</u> the UGB, primarily in centers and corridors. He said planning is needed so that, if and when the UGB is expanded, complete communities are created, with infrastructure to serve them.</p> <p>He said Metro does not think that it is appropriate to go right back into another cycle of UGB expansion. He said the Metropolitan Policy Advisory Committee (MPAC) has a bill before the legislature to expand the cycle from five years to seven years.</p> <p>He said they are working on an analysis of costs in new development versus reinvestment in existing areas within centers. He said most of the Metro Council</p>	

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	<p>agrees that the same amount of investment going into green fields, such as new development in Washington County's Bethany area, could probably have a higher yield if reinvested within existing areas.</p> <p>He said Metro is trying to develop a regional infrastructure plan using the revenue raising capacity of the entire region to contribute to a fund targeted for investments.</p> <p>He thanked the City of Tigard for going on record to support Metro's local bond measure for parks and greenspaces. He said Tigard's local share is \$1.4 million and bonds will be sold this month, making money available in April.</p> <p>Councilor Hosticka said Metro is in the process of updating the regional transportation plan and noted several significant items:</p> <ul style="list-style-type: none"> › He said they are trying to base the plan on reasonably anticipated finances. › There is discussion about directing more investment towards arterials and transportation that supporting land use plans emphasizing centers. He said Tigard's Downtown, with its link to the commuter rail system is a major focus. › Highway 99W, classified as a regional arterial, would get attention under these priorities. › If the legislature does not act to increase the gas tax, Metro would consider developing a regional measure. He applauded Tigard for coming up with a local gas tax to help solve a local problem. <p>Councilor Hosticka noted some specific projects:</p> <ul style="list-style-type: none"> › The Metropolitan Transportation Improvement Plan (MTIP) will distribute \$45 million and the Tigard Downtown Main Street project is on the short list. › The Highway 99W/I-5 connector's exact alignment is still not decided. On this topic, Mayor Dirksen advised that the further south the connection to I-5 moves, the less value it has for Tigard. Councilor Hosticka said it would most likely remain within the current planned area. 	

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	<p>Councilor Hosticka asked if the City Council had any questions.</p> <p>Councilor Sherwood said she is concerned about workforce housing. She asked if anything was being done to help solve the affordable housing issue, noting that a few years ago Tigard met the goal of having enough affordable housing and is nowhere near that goal presently.</p> <p>Metro Councilor Hosticka said Metro is strongly in favor of having more affordable housing and he will keep taking the message back that this is not just a Portland issue.</p> <p>Councilor Buehner said that Tigard just completed their buildable land inventory. She said Tigard has very little left and less than ten acres of land available for multi-family housing. She said Tigard is looking at putting dense housing in the downtown area but that would not even begin to fill the need. She noted that of the one million new people coming to the area, 400,000 would be coming to Washington County where there is already a critical shortage of residential housing. She said the jobs are here and people are commuting from Clackamas County to get to them.</p> <p>Councilor Buehner said that the vast majority of property added to the last urban grown boundary expansions has been in Clackamas County, not Washington County – which is where the jobs are happening. She recommended the focus be put on getting more land for housing to help keep the price of housing down and provide opportunities for multi-family housing. She said people in the unincorporated areas don't want the density, which is in direct contravention to Metro's policy. She said it comes back to the issue of whether or not urbanized areas should be in cities.</p> <p>Metro Councilor Hosticka said Metro's primary focus is not on in-fill or increased neighborhood density. He said Metro's policy is to encourage redevelopment, primarily in centers, as a way to deal with increasing capacity within the UGB.</p>	

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	<p>He said Metro is also attempting to change the way urban reserves are designated.</p> <p>Councilor Buehner said Metro could provide a wonderful leadership role by looking at the interplay between cities and counties and determining who should be providing what services to meet Metro’s goals. Metro Councilor Hosticka said he appreciated her point and that the least Metro could do is add a condition in any further expansion of the urban growth boundary that development would not occur unless it is in an incorporated city. He said Metro has that power.</p> <p>Councilor Buehner said that Highway 99W has more traffic than any other road in the area outside of the freeways. She urged addressing this issue in the update of the regional transportation plan.</p> <p>Mayor Dirksen gave Councilor Hosticka a letter seeking full 2010-11 MTIP funding for the reconstruction of Main Street to full Greenstreet standards from the railroad tracks to Highway 99W.</p>											
3.5 IGA with Oregon Department of Transportation for Local Fuel Tax Collection (This consent agenda item was heard out of order.)	<p>City Engineer Duenas introduced this item, reporting that the City has been working with the Oregon Department of Transportation to get an agreement in place and ready for an effective tax collection date of April 1, 2007.</p> <p>City Manager Prosser said that although ODOT will officially notify gas station owners, the City also wants to make additional information available to the station owners and the public.</p> <p>In response to a question from Councilor Buehner, City Engineer Duenas said setting up the tax collection process would cost up to \$7,500, with an annual charge of \$10,000-\$15,000. Councilor Buehner stated that this is a very reasonable expense for the City to pay in order to collect a large amount of money.</p> <p>Mayor Dirksen noted he has heard citizen sentiment lately in support of the gas tax.</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Buehner to approve Consent Agenda Item No. 3.5</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Councilor Woodruff</td><td>Yes</td></tr><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Buehner</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr></table>	Councilor Woodruff	Yes	Mayor Dirksen	Yes	Councilor Buehner	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes
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<p>6. Update on Library and Police Performance Audits, and an Update on the Financial Audit</p>	<p>Financial and Information Services Director Sesnon updated Council on the library and police performance audits as well as the City's annual financial audit.</p> <p>He said the Tigard Public Library audit report, completed by library expert Jeanne Goodrich, showed that the Library is well managed and is very well liked by the public. Recommendations were made regarding work flow, materials flow, processes and staffing in order to identify potential efficiencies. Under consideration are:</p> <ul style="list-style-type: none"> > adding desk-less, roving reference people > utilizing non-degreed personnel > contracting out some cataloging > reducing holds that are not picked up > pre-sorting > increasing the use of the self-check machine by patrons <p>A copy of the Tigard Public Library Performance Audit is on file in the City Recorder's Office and also available on the City's website.</p> <p>Financial and Information Services Director Sesnon said the Police Department audit is being done by consultant Steven Winegar and is not complete at this time. He said the three major components under study are:</p> <ul style="list-style-type: none"> > Property and Evidence Management > Mutual Aid Response > Employee Retention <p>He said he had an update on Police personnel retention from Consultant Winegar who said the national average loss rate is 7% and the City of Tigard experiences a loss rate of 5%. He noted that it is very costly to hire and train new officers and that the City should do whatever it can do to reduce turnover.</p> <p>> Regard for compensation – The Human Resources Department needs to remain diligent in ensuring that the officers are being fairly compensated.</p>	

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	<p> > Creative compensation – look at different ways to pay officers, such as a longevity bonus. > Professional Development – are opportunities being promoted? > Job Sharing offers increases variety. </p> <p>Mr. Sesnon said there are areas within the Property Evidence function that can be improved. The consultant's recommendations have not been received yet on this and the evaluation of the Mutual Aid Response component.</p> <p>He said the City of Tigard changes auditors periodically as a good business practice and this was the first year for Grove, Mueller and Swank, P.C. He said the City's financial audit was very positive and no adjusting journal entries were necessary.</p> <p>He said that for the past two decades the City of Tigard has submitted their Comprehensive Annual Financial Report (CAFR) to the Government Finance Officer's Association who issues an award for excellence in financial reporting. He said he was proud to say that Tigard has received that award for nineteen consecutive years. Staff submitted this latest CAFR and he hopes the award-winning trend continues. He said there is a rigid set of standards that must be met and it shows the commitment to excellence the finance staff has.</p> <p>Councilor Sherwood thanked Mr. Sesnon for the report on the City's financial picture. She said these awards are important and she is proud that the City has earned them.</p> <p>Councilor Buehner remarked that it saves staff time and taxpayer money when things don't have to be changed.</p> <p>Councilor Woodruff noted that Council had already received this report and heard the consultants at the last Workshop meeting but he felt the City's financial news was so good and so important, that it should be presented at a televised Business Meeting. He said citizens are concerned with public money being spent properly, fully accounted for, and with independent</p>	

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	<p>oversight. He said Tigard is looking for every way possible to make sure that we're being efficient at how we're using public funds.</p> <p>Councilor Buehner asked if the consultant's reports would be posted on the website. City Manager Prosser said the Library Report was already posted and the Police Report would be posted when completed.</p> <p>Mayor Dirksen mentioned it was the opinion of the Library Performance Audit consultant that, "For every dollar spent by the library, the community receives four dollars in benefit. That's a good return on any investment."</p>	
<p>7. Consider Naming the Tualatin River Bicycle and Pedestrian Bridge the "Ki-a-Kuts Bridge" in honor of the Tualatin Native American Headman, Ki-a-Kuts</p>	<p>The staff report was given by Parks Manager Plaza. He said the Tigard Historical Society and the Tualatin Historical Society have joined together in requesting that the bridge be named, Ki-a-kuts Bridge.</p> <p>He said Ki-a-kuts was the last headman and spokesman of the Tualatin (Atfalati) Native Americans and signed treaties at both Champoeg and Dayton. He said the other Tualatin river bridge partners - Durham, Tualatin and Clean Water Services - are considering similar resolutions and if they agree, there will be a bronze name plaque placed at the site.</p> <p>He said the bridge grand opening ceremony has been postponed from April 28th and will probably occur in May.</p> <p>Martha Worley from the Tigard Area Historical & Preservation Association spoke, saying they are interested in, "preserving history and our history goes back a lot farther than our pioneers who brought farming and cattle and brought us into this century. We need to recognize our deeper roots." She said the Oregon Board of Geographic Names approved this name for the falls discovered on the Tualatin River by the Tualatin Riverkeepers, and in 1999 the U.S. Board of Geographic Names accepted it, including putting in hyphens.</p>	<p>Motion by Councilor Harding, seconded by Councilor Woodruff to adopt Resolution No. 07-11.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Councilor Woodruff Yes Mayor Dirksen Yes Councilor Buehner Yes Councilor Harding Yes Councilor Sherwood Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	Resolution No. 07-11 CONSIDER NAMING THE TUALATIN RIVER BICYCLE AND PEDESTRIAN BRIDGE THE "KI-A-KUTS BRIDGE" IN HONOR OF THE TUALATIN NATIVE AMERICAN HEADMAN, KI-A-KUTS	
8. Review City Encroachment Permit Policy	<p>Community Development Director Coffee said Right-of-Way Administrator Werner would be giving the staff presentation, noting that this would be her last Council meeting as she has accepted a position with a law firm.</p> <p>Right-of-Way Administrator Werner gave some background on what an encroachment is and what Tigard's policy has been. She said the Tigard Municipal Code already prohibits, with some exceptions, the placement of any structures or vegetation in unimproved rights-of-way, easements or other public property without a revocable permit. Ms. Werner said, however, the City doesn't have a permit process set up and hasn't really enforced this section of the Code yet.</p> <p>Ms. Werner said there have been times when Public Works staff had to remove fences or sheds to access an area they were required to maintain. She said there was an instance where City staff couldn't even access a manhole cover due to a wall and fill material covering it.</p> <p>Right-of-Way Administrator Werner said her research showed most jurisdictions have a code section similar to Tigard's and most cities require removal if a safety or utility access issue exists. She said the three main issues are:</p> <ul style="list-style-type: none"> › Liability – There is possible City liability for encroachments that cause injury › Expense to the City - Costs for repairs and maintenance increase due to the need to move or avoid encroachments or to repair damaged encroachments. It adds to the effort and expense of maintaining public works to have access blocked or hindered to hydrants, water meters, manholes and other facility access points. 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>› Street and Sidewalk Damage - During a recent Verizon project the streets were being dug up rather than adjacent homeowners' walls or landscaping which was actually in the public right-of-way.</p> <p>Community Development Director Coffee asked if Council direction to staff was to educate the public over a period of time and then develop this process for revocable permits so we do begin recording them. Mayor Dirksen agreed that this was the Council's direction.</p> <p>Councilor Sherwood said there is a lot of education that needs to be done. She noted that citizens attending a Fifth Tuesday meeting said they didn't know where the right-of-way begins and ends.</p> <p>Community Development Director Coffee said it involves education but also the use of this revocable permit that says, "If you want to encroach in the right-of-way we allow it under certain circumstances. But in return for that permission you grant us a revocable permit so if the question ever comes up in the future it is clear."</p> <p>Councilor Harding said she did an on-line search of other cities which showed permit fees that were less than the \$300 suggested by Community Development. She suggested the City take a non-aggressive approach unless safety hazards exist. She said most people pay taxes on the right-of-way, and are also expected to mow and maintain it, so the Code language may seem burdensome.</p> <p>City Manager Prosser noted that what is being discussed is right-of-way owned by the City. He said it is outside the legal description of the property and the home owners do not pay taxes on this land.</p> <p>Mayor Dirksen said that may not be a property owner's perception because they don't know where the right-of way is.</p> <p>Community Development Manager Coffee said that the City's GIS system upgrade will have interactive maps to help citizens locate the rights-of-way near</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>their property.</p> <p>Mayor Dirksen asked if the existence of this Code section solves this problem of setbacks that came up in a Fifth Tuesday. He asked if this code section was written as a response to encroachments.</p> <p>City Manager Prosser said he thought it had come about because of encroachments on City parks. He further clarified that the issue brought to Council at the recent Fifth Tuesday meeting was about construction of structures within setbacks. He said that the setback issue and right-of-way encroachment are two different things.</p> <p>City Attorney Ramis requested to review any proposed language if staff moves in the direction of a revocable permit.</p> <p>Right-of-Way Administrator Werner said the one remaining question is the permit fee. She said staff recommended \$300, because that is the minimum fee for a city improvement project. Mayor Dirksen suggested basing the fee on the actual administrative costs of the program. Community Development Director Coffee said he would obtain that amount for future discussion.</p> <p>City Manager Prosser said he wanted to publicly thank Right-of-Way Administrator Werner for her excellent work for the City. He noted that she has become a recognized expert in the state on telecommunication franchise issues.</p>	
9. Council Liaison Reports	<p>Mayor Dirksen said he attended a Washington County Coordinating Committee meeting and one issue on the table was the MTIP funding for Tigard's Greenstreets project and he was assured by WCCC membership that they are in full support. Councilor Harding noted that Metro Councilor Harrington will be the liaison with WCCC.</p> <p>Councilor Buehner attended the Intergovernmental Water Board's meeting where a discussion was held on the disposition of the property at Canterbury. The consensus of IWB members was that the property</p>	

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	<p>needs to be deeded out of the name of the Water District to interest holders: Durham, King City, and Tigard. She said Public Works Director Koellermeier will be working on this and it should be resolved in a few months. Mayor Dirksen requested further dialog on this issue.</p> <p>Councilor Sherwood said the Project Homeless breakfast would be held Wednesday at the Hillsboro Armory and would include representatives from the Department of Human Services and the Veteran's Administration. Services such as showers, haircuts, eyeglasses and food stamps will be provided. Councilor Sherwood said she would represent the City.</p>	
10. Executive Session	<p>At 10.00 p.m. the Tigard City Council went into Executive Session to discuss potential property negotiations under ORS 192.660(2) (e) and consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed under ORS 192.660 (2) (h).</p> <p>Executive Session ended at 10:30.</p>	
11. Non Agenda Items	<p>Due to time constraints in the Study Session, the Status Update – Highway 99W Corridor Improvement and Management Plan was not discussed. City Manager Prosser asked Council members to read the materials on this item prepared by City Engineer Duenas and included in their packet.</p>	
Adjournment	<p>The meeting adjourned at 10:35 p.m.</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adjourn the meeting.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Councilor Woodruff Yes Mayor Dirksen Yes Councilor Buehner Yes Councilor Harding Yes Councilor Sherwood Yes</p>


Carol A. Krager, Deputy City Recorder

Attest:



Mayor, City of Tigard

4.10.07

Date